

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DENA PIPKIN, personally and as Personal
Representative of the ESTATE OF JOSHUA
HIGHTOWER; RICHARD HIGHTOWER,

Plaintiffs,

v.

THE BURLINGTON NORTHERN AND
SANTA FE RAILROAD COMPANY, a
foreign corporation; CREW SHUTTLE
SERVICE, INC., a foreign corporation,

Defendants,

UNION PACIFIC RAILROAD COMPANY,

Intervenor.

Case No.C04-5591RJB

ORDER DENYING UNION
PACIFIC'S MOTION FOR OVER-
LENGTH BRIEF TO RESPOND TO
PLAINTIFFS' OVER-LENGTH
MOTION TO EXCLUDE DR.
TENCER

This matter comes before the court on Intervenor Union Pacific's Motion for Over-
Length Brief to Respond to Plaintiffs' Over-Length Motion to Exclude Dr. Tencer (Dkt. 116).

The court has reviewed the motion and the file herein.

On October 7, 2005, the court granted the plaintiffs' Motion for Leave to File Excess
Pages brought pursuant to Local Rule CR 7(f). Union Pacific now moves the court for leave to
file an over-length response. This motion is moot, as Local Rule CR 7(f) provides that "[i]f the
court grants leave to file an over-length motion, the brief in opposition will automatically be

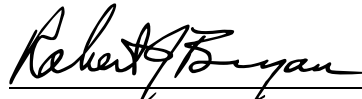
1 allowed an equal number of additional pages.” By virtue of granting the plaintiffs’ motion for
2 leave to file an additional nine pages, Union Pacific is *automatically* allowed to file an additional
3 nine pages.

4 Therefore, it is now

5 **ORDERED** that Intervenor Union Pacific’s Motion for Over-Length Brief to Respond
6 to Plaintiffs’ Over-Length Motion to Exclude Dr. Tencer (Dkt. 116) is **DENIED** as moot.

7 The Clerk of the Court is instructed to send uncertified copies of this Order to all
8 counsel of record and to any party appearing *pro se* at said party’s last known address.

9 DATED this 13th day of October, 2005.

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11 Robert J. Bryan
12 United States District Judge
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